

STATISTICAL INFORMATION ONLY: Debtor must select the number of each of the following items included in the Plan.

0 Valuation of Security 0 Assumption of Executory Contract or Unexpired Lease 0 Lien Avoidance

Last revised: December 1, 2017

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In Re: Case No.: 17-33684
Charles A. Schaffer, III Judge: KCF

Debtor(s)

Chapter 13 Plan and Motions

☐ Original ☒ Modified/Notice Required Date: 7-2-18
☐ Motions Included ☐ Modified/No Notice Required

THE DEBTOR HAS FILED FOR RELIEF UNDER
CHAPTER 13 OF THE BANKRUPTCY CODE

YOUR RIGHTS MAY BE AFFECTED

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the *Notice*. Your rights may be affected by this plan. Your claim may be reduced, modified, or eliminated. This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the Notice. The Court may confirm this plan, if there are no timely filed objections, without further notice. See Bankruptcy Rule 3015. If this plan includes motions to avoid or modify a lien, the lien avoidance or modification may take place solely within the chapter 13 confirmation process. The plan confirmation order alone will avoid or modify the lien. The debtor need not file a separate motion or adversary proceeding to avoid or modify a lien based on value of the collateral or to reduce the interest rate. An affected lien creditor who wishes to contest said treatment must file a timely objection and appear at the confirmation hearing to prosecute same.

THIS PLAN:

☐ DOES ☒ DOES NOT CONTAIN NON-STANDARD PROVISIONS. NON-STANDARD PROVISIONS MUST ALSO BE SET FORTH IN PART 10.

☐ DOES ☒ DOES NOT LIMIT THE AMOUNT OF A SECURED CLAIM BASED SOLELY ON VALUE OF COLLATERAL, WHICH MAY RESULT IN A PARTIAL PAYMENT OR NO PAYMENT AT ALL TO THE SECURED CREDITOR. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

☐ DOES ☒ DOES NOT AVOID A JUDICIAL LIEN OR NONPOSSESSORY, NONPURCHASE-MONEY SECURITY INTEREST. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

Initial Debtor(s)' Attorney: REN

Initial Debtor: CAS

Initial Co-Debtor: _____

Part 1: Payment and Length of Plan

a. The debtor shall pay \$ 2,144.00 per month to the Chapter 13 Trustee, starting on August 1, 2018 for approximately 52 of 60 months.

b. The debtor shall make plan payments to the Trustee from the following sources:

☒ Future earnings

☐ Other sources of funding (describe source, amount and date when funds are available):

c. Use of real property to satisfy plan obligations:

☐ Sale of real property

Description:

Proposed date for completion: _____

☐ Refinance of real property:

Description:

Proposed date for completion: _____

☒ Loan modification with respect to mortgage encumbering property:

Description: 2 Pine Road, Medford, NJ 08055

Proposed date for completion: 5/1/18

d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

e. ☐ Other information that may be important relating to the payment and length of plan:

Part 2: Adequate Protection ☒ NONE

a. Adequate protection payments will be made in the amount of \$ _____ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to _____ (creditor).

b. Adequate protection payments will be made in the amount of \$ _____ to be paid directly by the debtor(s) outside the Plan, pre-confirmation to: _____ (creditor).

Part 3: Priority Claims (Including Administrative Expenses)

a. All allowed priority claims will be paid in full unless the creditor agrees otherwise:

| Creditor | Type of Priority | Amount to be Paid |
|-----------------------------|--------------------------------------|-------------------------------------|
| CHAPTER 13 STANDING TRUSTEE | ADMINISTRATIVE | AS ALLOWED BY STATUTE |
| ATTORNEY FEE BALANCE | ADMINISTRATIVE | BALANCE DUE: \$ 3,200.00 |
| DOMESTIC SUPPORT OBLIGATION | | |
| RONALD E. NORMAN, ESQ. | ADMINISTRATIVE-SUPPLEMENTAL FEES | \$1,327.99 (pending court approval) |
| IRS | Taxes- 2012, 2013, 2014, 2015 & 2016 | \$68,173.43 |

- b. Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount:
Check one:
☒ None
☐ The allowed priority claims listed below are based on a domestic support obligation that has been assigned to or is owed to a governmental unit and will be paid less than the full amount of the claim pursuant to 11 U.S.C.1322(a)(4):

| Creditor | Type of Priority | Claim Amount | Amount to be Paid |
|----------|--|--------------|-------------------|
| | Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount. | | |

Part 4: Secured Claims

a. Curing Default and Maintaining Payments on Principal Residence: ☐ NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

| Creditor | Collateral or Type of Debt | Arrearage | Interest Rate on Arrearage | Amount to be Paid to Creditor (In Plan) | Regular Monthly Payment (Outside Plan) |
|-------------------------|----------------------------|-------------|----------------------------|---|--|
| Carrington Mortgage | 2 Pine Rd. Medford, NJ | \$42,710.00 | 0 | \$42,710.00 to pay through loan modification through loss mit program | \$2,200.00 (under loss mitigation program) |
| Old Taunton Colony Club | 2 Pine Rd. Medford, NJ | \$3,000.00 | 0 | \$3,000.00 | \$33.33 |

b. Curing and Maintaining Payments on Non-Principal Residence & other loans or rent arrears: ☒ NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor will pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

| Creditor | Collateral or Type of Debt | Arrearage | Interest Rate on Arrearage | Amount to be Paid to Creditor (In Plan) | Regular Monthly Payment (Outside Plan) |
|----------|----------------------------|-----------|----------------------------|---|--|
| | | | | | |

c. Secured claims excluded from 11 U.S.C. 506: ☒ NONE

The following claims were either incurred within 910 days before the petition date and are secured by a purchase money security interest in a motor vehicle acquired for the personal use of the debtor(s), or incurred within one year of the petition date and secured by a purchase money security interest in any other thing of value:

| Name of Creditor | Collateral | Interest Rate | Amount of Claim | Total to be Paid through the Plan Including Interest Calculation |
|------------------|------------|---------------|-----------------|--|
| | | | | |

d. Requests for valuation of security, Cram-down, Strip Off & Interest Rate Adjustments ☒ NONE

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

NOTE: A modification under this Section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.

| Creditor | Collateral | Scheduled Debt | Total Collateral Value | Superior Liens | Value of Creditor Interest in Collateral | Annual Interest Rate | Total Amount to be Paid |
|----------|------------|----------------|------------------------|----------------|--|----------------------|-------------------------|
| | | | | | | | |

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

e. Surrender ☒ NONE

Upon confirmation, the stay is terminated as to surrendered collateral only under 11 U.S.C. 362(a) and that the stay under 11 U.S.C 1301 be terminated in all respects. The Debtor surrenders the following collateral:

| Creditor | Collateral to be Surrendered | Value of Surrendered Collateral | Remaining Unsecured Debt |
|----------|------------------------------|---------------------------------|--------------------------|
| | | | |

f. Secured Claims Unaffected by the Plan ☐ NONE

The following secured claims are unaffected by the Plan:
Student Loans (to be paid at the completion of Chapter 13 plan)

g. Secured Claims to be Paid in Full Through the Plan: ☐ NONE

| Creditor | Collateral | Total Amount to be Paid Through the Plan |
|----------------------------|--|--|
| State of New Jersey IRS | real property and vehicle real property and vehicle | \$16,250.00 \$18,860.00 |

Part 5: Unsecured Claims ☐ NONE

a. Not separately classified allowed non-priority unsecured claims shall be paid:

☐ Not less than \$ _____ to be distributed *pro rata*

☐ Not less than _____ percent

☒ *Pro Rata* distribution from any remaining funds

b. Separately classified unsecured claims shall be treated as follows:

| Creditor | Basis for Separate Classification | Treatment | Amount to be Paid |
|----------|-----------------------------------|-----------|-------------------|
| | | | |

Part 6: Executory Contracts and Unexpired Leases ☒ NONE

(NOTE: See time limitations set forth in 11 U.S.C. 365(d)(4) that may prevent assumption of non-residential real property leases in this Plan.)

All executory contracts and unexpired leases, not previously rejected by operation of law, are rejected, except the following, which are assumed:

| Creditor | Arrears to be Cured in Plan | Nature of Contract or Lease | Treatment by Debtor | Post-Petition Payment |
|----------|-----------------------------|-----------------------------|---------------------|-----------------------|
| | | | | |

Part 7: Motions ☒ NONE

NOTE: All plans containing motions must be served on all potentially affected creditors, together with local form, *Notice of Chapter 13 Plan Transmittal*, within the time and in the manner set forth in D.N.J. LBR 3015-1. A *Certification of Service, Notice of Chapter 13 Plan Transmittal and valuation* must be filed with the Clerk of Court when the plan and transmittal notice are served.

a. Motion to Avoid Liens Under 11. U.S.C. Section 522(f). ☒ NONE

The Debtor moves to avoid the following liens that impair exemptions:

| Creditor | Nature of Collateral | Type of Lien | Amount of Lien | Value of Collateral | Amount of Claimed Exemption | Sum of All Other Liens Against the Property | Amount of Lien to be Avoided |
|----------|----------------------|--------------|----------------|---------------------|-----------------------------|---|------------------------------|
| | | | | | | | |

b. Motion to Avoid Liens and Reclassify Claim from Secured to Completely Unsecured. ☒ NONE

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

| Creditor | Collateral | Scheduled Debt | Total Collateral Value | Superior Liens | Value of Creditor's Interest in Collateral | Total Amount of Lien to be Reclassified |
|----------|------------|----------------|------------------------|----------------|--|---|
| | | | | | | |

c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured. ☒ NONE

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

| Creditor | Collateral | Scheduled Debt | Total Collateral Value | Amount to be Deemed Secured | Amount to be Reclassified as Unsecured |
|----------|------------|----------------|------------------------|-----------------------------|--|
| | | | | | |

Part 8: Other Plan Provisions

a. Vesting of Property of the Estate

- ☒ Upon confirmation
☐ Upon discharge

b. Payment Notices

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

c. Order of Distribution

The Standing Trustee shall pay allowed claims in the following order:

- 1) Ch. 13 Standing Trustee commissions
- 2) Ronald E. Norman
- 3) Priority Creditors
- 4) Secured then unsecured

d. Post-Petition Claims

The Standing Trustee ☐ is, ☒ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

Part 9: Modification ☐ NONE

If this Plan modifies a Plan previously filed in this case, complete the information below.

Date of Plan being modified: 11/21/17.

Explain below **why** the plan is being modified:

Removed all motions to avoid liens with IRS and State of New Jersey and listed State of New Jersey and IRS secured claims under Secured Claims to be Paid in Full Through the Plan, corrected priority claim for IRS to Proof of Claim amount and removed executory contract from Part 6 due to completed lease with VW Credit, Inc.

Explain below **how** the plan is being modified:

Corrected amount of IRS priority claim, removed motions to avoid liens, listed IRS and State of NJ secured claims to be paid through plan and removed VW Credit, Inc. from Executory Contracts and Leases section of plan.

Are Schedules I and J being filed simultaneously with this Modified Plan? ☐ Yes ☒ No

Part 10: Non-Standard Provision(s): Signatures Required

Non-Standard Provisions Requiring Separate Signatures:

☒ NONE

☐ Explain here:

Any non-standard provisions placed elsewhere in this plan are void.

The Debtor(s) and the attorney for the Debtor(s), if any, must sign this Certification.

I certify under penalty of perjury that the plan contains no non-standard provisions other than those set forth in this final paragraph.

Date: 7-2-18

/s/ Ronald E. Norman
Attorney for the Debtor

Date: 7-2-18

/s/ Charles A. Schaffer, III
Debtor

Date: _____

Joint Debtor

Signatures

The Debtor(s) and the attorney for the Debtor(s), if any, must sign this Plan.

Date: 7-2-18

/s/ Ronald E. Norman
Attorney for the Debtor

I certify under penalty of perjury that the above is true.

Date: 7-2-18

/s/ Charles A. Schaffer, III
Debtor

Date: _____

Joint Debtor

Certificate of Notice Page 11 of 12
 United States Bankruptcy Court
 District of New Jersey

In re:
 Charles A. Schaffer,, III
 Debtor

Case No. 17-33684-KCF
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3

User: admin
 Form ID: pdf901

Page 1 of 2
 Total Noticed: 30

Date Rcvd: Jul 06, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 08, 2018.

db Charles A. Schaffer,, III, 2 Pine Rd, Medford, NJ 08055-8159
 aty +Shapiro & DeNardo, 14000 Commerce Pkwy, Ste. B, Mt. Laurel, NJ 08054-2242
 lm CARRINGTON MORTGAGE SERVICES, LLC, PO Box 3489, Anaheim, CA 92803-3489
 cr +Carrington Mortgage Services LLC as servicing agen, Stern Lavinthal & Frankenberg LLC,
 105 Eisenhower Parkway, Suite 302, Roseland, NJ 07068-1640
 cr +Carrington Mortgage Services, LLC as servicing age, Stern, Lavinthal & Frankenberg, LLC,
 105 Eisenhower Parkway, Suite 302, Roseland, NJ 07068-1640
 cr +Wells Fargo Bank, N.A., as Trustee for Carrington, Stern, Lavinthal & Frankenberg, LLC,
 105 Eisenhower Parkway, Suite 302, Roseland, NJ 07068-1640
 517192680 Barron & Brennan, PA, 1307 White Horse Rd Ste F600, Voorhees, NJ 08043-2164
 517192681 Carngtn Mtg, 1600 S Douglass Rd Ste 2, Anaheim, CA 92806-5948
 517192682 Carrington Mortgage Service. LLC, PO Box 3489, Anaheim, CA 92803-3489
 517318071 +Carrington Mortgage Services, LLC, 1600 South Douglass Road, Anaheim, CA 92806-5951
 517192685 Eamonn O'Hagan, Assistant U.S. Attorney U.S. Attorney's, 970 Broad St Dist OF,
 Newark, NJ 07102-2534
 517192688 Navient, 123 S Justison St Ste 30, Wilmington, DE 19801-5360
 517211003 +Nelnet obo Educational Credit Management Corp, Educational Credit Management Corp,
 PO Box 16408, St. Paul MN 55116-0408
 517192691 Old Taunton Lake Colony Club, c/o Paul Lucas, 74 S Wyetta Rd, Medford, NJ 08055-8112
 517192692 Robin A. Schaffer, 2 Pine Rd, Medford, NJ 08055-8159
 517192694 ++STATE OF NEW JERSEY, DIVISION OF TAXATION BANKRUPTCY UNIT, PO BOX 245,
 TRENTON NJ 08646-0245
 (address filed with court: State of New Jersey, Division of Taxation, PO Box 245,
 Trenton, NJ 08695-0245)
 517192693 Shapiro & DeNardo, LLC, 14000 Commerce Pkwy Ste B, Mount Laurel, NJ 08054-2242
 517247468 +VW Credit Leasing, Ltd, c/o VW Credit, Inc., PO Box 9013, Addison, Texas 75001-9013

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

smg E-mail/Text: usanj.njbankr@usdoj.gov Jul 06 2018 23:23:36 U.S. Attorney, 970 Broad St.,
 Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534
 smg +E-mail/Text: ustpregion03.ne.ecf@usdoj.gov Jul 06 2018 23:23:33 United States Trustee,
 Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100,
 Newark, NJ 07102-5235
 517220236 +E-mail/Text: ally@ebn.phinsolutions.com Jul 06 2018 23:22:30 Ally Financial,
 PO Box 130424, Roseville MN 55113-0004
 517192683 E-mail/PDF: pa_dc_ed@navient.com Jul 06 2018 23:28:07 Dept of Ed/Navient,
 Attn: Claims Dept, PO Box 9635, Wilkes Barre, PA 18773-9635
 517192684 E-mail/PDF: pa_dc_ed@navient.com Jul 06 2018 23:28:31 Dept of Ed/Navient, PO Box 9635,
 Wilkes Barre, PA 18773-9635
 517192686 E-mail/Text: cio.bncmail@irs.gov Jul 06 2018 23:22:52 IRS, PO Box 7346,
 Philadelphia, PA 19101-7346
 517192687 E-mail/PDF: pa_dc_claims@navient.com Jul 06 2018 23:28:06 Navient, Attn: Claims Dept,
 PO Box 9500, Wilkes Barre, PA 18773-9500
 517312371 E-mail/PDF: pa_dc_claims@navient.com Jul 06 2018 23:28:07
 Navient Solutions, LLC. on behalf of, Department of Education Loan Services, PO BOX 9635,
 Wilkes-Barre, PA 18773-9635
 517192689 E-mail/Text: electronicbkydocs@nelnet.net Jul 06 2018 23:23:40 Nelnet,
 Nelnet Claims/Bankruptcy, PO Box 82505, Lincoln, NE 68501-2505
 517192690 E-mail/Text: electronicbkydocs@nelnet.net Jul 06 2018 23:23:40 Nelnet Lns, PO Box 1649,
 Denver, CO 80201-1649
 517192695 E-mail/Text: vci.bkcy@vwcredit.com Jul 06 2018 23:23:47 VW Credit, Inc., PO Box 3,
 Hillsboro, OR 97123-0003
 517315993 +E-mail/PDF: EBN_AIS@AMERICANINFOSOURCE.COM Jul 06 2018 23:39:25 Verizon,
 by American InfoSource LP as agent, 4515 N Santa Fe Ave, Oklahoma City, OK 73118-7901
 TOTAL: 12

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
 pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

District/off: 0312-3

User: admin
Form ID: pdf901

Page 2 of 2
Total Noticed: 30

Date Rcvd: Jul 06, 2018

***** BYPASSED RECIPIENTS (continued) *****

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jul 08, 2018

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 3, 2018 at the address(es) listed below:

Albert Russo on behalf of Trustee Albert Russo docs@russotrustee.com
Albert Russo docs@russotrustee.com
Denise E. Carlon on behalf of Creditor VW Credit Leasing, Ltd dcarlon@kmlawgroup.com,
bkgroup@kmlawgroup.com
Jeanette F. Frankenberg on behalf of Creditor Carrington Mortgage Services LLC as servicing
agent for Wells Fargo Bank, N.A., as Trustee for Carrington Mortgage Loan Trust, Series
2006-FRE1 Asset-Backed Pass-Through Certificates cmecf@sternlav.com
Jeanette F. Frankenberg on behalf of Creditor Carrington Mortgage Services, LLC as servicing
agent for Bank of America, N.A. cmecf@sternlav.com
Jeanette F. Frankenberg on behalf of Creditor Wells Fargo Bank, N.A., as Trustee for
Carrington Mortgage Loan Trust, Series 2006-FRE1 Asset-Backed Pass-Through Certificates
cmecf@sternlav.com
Rebecca Ann Solarz on behalf of Creditor VW Credit Leasing, Ltd rsolarz@kmlawgroup.com
Ronald E. Norman on behalf of Debtor Charles A. Schaffer, III ronaldenorman@comcast.net,
dgordon@rnormanlaw.com;gl4985@notify.cincompass.com;ronaldenorman@icloud.com
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 9